

## **REMARKS**

### **I. Introduction**

Claims 30, 41 and 47 have been amended to more particularly point out that which Applicant regards as the inventions therein.

Claim 47 has been amended to address the concerns raised by the Examiner under 35 U.S.C. sect. 101.

Claims 53 and 54 are newly added.

No new matter has been added.

### **II. Claim Objections**

Claims 30-52 stand objected to under 37 CFR 1.75 (g) and MPEP 608.01(e) because the independent claims should be presented in order, with the least restrictive claims to be presented as claim number 1” To the extent the objection is maintained, and as best understood by Applicant respectfully traverses the objection.

Initially, Applicant notes that the above rule is a “suggestive” rule which pertains primarily for a newly filed application. It is not a mandatory rule as indicated by the term “should” (mandatory rules typically use the term “must” or “shall”). Hence, such rule is not a basis upon which an objection can be made to compel action from Applicant. Further, another mandatory rule prohibits renumbering of claims (37 CFR 1.126). Finally, as the Examiner has already examined the claims, any benefit of reordering the claims would seem less productive and less beneficial at such point. The desired correction by the Examiner would seemingly either compel Applicant to violate a mandatory rule, or make the file history less coherent.

Accordingly, to the extent that the objection is maintained in lieu of Applicant's amendments, Applicant respectfully request withdrawal thereof.

### **III. Prior Art Rejections**

Claims 30-52 stand rejected under 35 U.S.C. § 103 as being unpatentable over Coli (5,452,355) in view of Candelor (6,697,489).

Neither Coli nor Candelore '489, taken alone or in combination disclose or suggest the claimed invention recited by the above amended claims. Neither Coli nor Candelor '489 appear to be related to interchip data protection. Coli merely discloses an approach for creating fuseable links on the IP level to encode data in an IC. Coli does not protect interchip communications. At best, Coli provides for a non-readable and non-rewritable IC.

As explained in Applicant's previous response, Candelor '489 is also not concerned with interchip content protection. Candelor '489 uses a smart card (410) to control words, which are then sent to a second device (401) under encryption through an interface 420. See, Figs. 2 and 6. The control words are decrypted by the second device and used to descramble content (480) at descrambler 470 and provided as "descrambled transport stream 490". See, Fig. 2. The content is not received by the smart card 410 and is not encrypted by the smart card 410. Further, the content is not encrypted on an interchip content pathway in either the smart card 410 or the second device 401, which merely provides descrambling of content which may have been scrambled by the content provider.

In maintaining the rejection, the Examiner kindly directs Applicant to col. 5: 57-62 for asserting that Candelor '489 uses an interchip key to produce ciphertext content. However, such section of Candelor '489 is merely discussing well known RSS (NRSS-A and NRSS-B) interface

security, i.e. transporting encrypted content across an external interface to another device. See, col. 5: 50-52 “copy-protected content will be re-scrambled across the CA module (NRSS-A, NRSS-B or POD) *interface* and the host” (bold and italics added for emphasis). Such discussion does not relate to interchip content pathways.

Accordingly, Applicant respectfully request allowance of the above claims.

#### **IV. Conclusion**

Having fully responded to the Office action, the application is believed to be in condition for allowance. Should any issues arise that prevent early allowance of the above application, the examiner is invited contact the undersigned to resolve such issues.

To the extent an extension of time is needed for consideration of this response, Applicant hereby request such extension and, the Commissioner is hereby authorized to charge deposit account number 505278 for any fees associated therewith.

Respectfully submitted,

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